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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	ATTORNEY DOCKET NO. CONFIRMATION NO.	
10/775,868	02/10/2004	David Lawrence	G08.130/U	1175	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.	Applicant(s)	Applicant(s)		
10/775,868	LAWRENCE, DAVID			
Examiner	Art Unit			
GERALD C. VIZVARY	3696			

		GERALD C. VIZVARY		3696			
The MAILING DATE of this co	mmunication app	ears on the cover shee	t with the c	correspondence ac	idress		
Period for Reply							
A SHORTENED STATUTORY PER WHICHEVER IS LONGER, FROM Extensions of time may be available under the parties (5) (6) MONTES from the nating date of If NO period for reply is specified above, the ma- Failure to reply with the set or extended period. Any reply received by the Office later than three amed patent term adjustment. See 37 CFR 1.	THE MAILING DA provisions of 37 CFR 1.13 this communication. ximum statutory period w I for reply will, by statute, months after the mailing	ATE OF THIS COMMU 16(a). In no event, however, man rill apply and will expire SIX (6) In cause the application to become	NICATION y a reply be tin MONTHS from a ABANDONE	N. nely filed the mailing date of this o D (35 U.S.C. § 133).			
Status							
1) Responsive to communication	n(s) filed on 10 Fe	ebruary 2004.					
2a) This action is FINAL.							
3) Since this application is in cor	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the	practice under E	x parte Quayle, 1935 (C.D. 11, 48	53 O.G. 213.			
Disposition of Claims							
4)⊠ Claim(s) 1-21 is/are pending i	n the application.						
4a) Of the above claim(s)	4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed	i.						
 Claim(s) <u>1-21</u> is/are rejected. 							
7) Claim(s) is/are objecte							
8) Claim(s) are subject to	restriction and/or	election requirement.					
Application Papers							
9)☐ The specification is objected to	by the Examiner	r.					
10)☐ The drawing(s) filed on	is/are: a) acce	epted or b) objected	to by the I	Examiner.			
Applicant may not request that a	ny objection to the o	drawing(s) be held in abe	yance. Se	e 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11)☐ The oath or declaration is obje	cted to by the Ex	aminer. Note the attac	hed Office	Action or form P	ΓΟ-152.		
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a a) All b) Some * c) Non		priority under 35 U.S.C	C. § 119(a))-(d) or (f).			
 Certified copies of the p 	oriority documents	have been received.					
Certified copies of the p	oriority documents	have been received in	n Applicati	on No			
Copies of the certified of	copies of the prior	ity documents have be	en receive	ed in this National	Stage		
application from the Inte							
* See the attached detailed Offic	e action for a list of	of the certified copies r	not receive	ed.			
Attachment(s)							
1) Notice of References Cited (PTO-892)		4) Intervie	w Summarv	(PTO-413)			

- Notice of Draftsperson's Patent Drawing Review (PTO-948)
 Information Disclosure Statement(s) (PTO/S5/05)
- - Paper No(s)/Mail Date 8/10/2005.

- Paper No(s)/Mail Date. 5) Notice of Informal Patent Application
- 6) Other:

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DETAILED ACTION

Introduction

The following is a non-final office action in response to the communications received on 2/10/2004. Claims 1-21 are now pending in this application.

Information Disclosure Statement

 The information disclosure statement (IDS) submitted on 8/10/2005 was considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35
 U.S.C. 102 that form the basis for the rejections under this section made in this
 Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

 Claims 1-8, 10, 11, 14-16 & 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldschmidt 6,983,266 B1.

As per claim 1, Goldschmidt 6,983,266 B1 teaches a method of facilitating monitoring of a transactions for one or more indications of insider trading, the method comprising:

receiving digital information related to one or more financial transactions into storage of a computer device ("In the first step 100, SNCE and associated data

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and information is retrieved from the primary monitoring computer system. This information is stored on a blackboard (typically a database system is used for the blackboard). "Goldschmidt 6,983,266 B1 col. 7, lines 58-62);

creating rules which relate the digital information to insider trading rules in the computer storage ("A specific application of the conceptual model of the CMAD_{cm} multi-agent decision support system of FIG. 1 will now be described for supporting the ASX surveillance CMAD_{cm} analyst team review process. For the sake of brevity, this CMAD_{cm} multi-agent decision support system will be referred to as ALCOD. ALCOD assists the ASX's surveillance analysts' decision making task of classifying a SNCE generated by the primary monitoring system (SOMA)." Goldschmidt 6,983,266 B1 col. 12, lines 20-28); and generating an indication that execution of the financial transaction is in violation

generating an indication that execution of the financial transaction is in violation of one or more of the insider trading rules. ("Where there appears to have been a breach of the law, the matter is reported to the federal government body that administers the corporations law, namely the Australian Securities Commission (ASC) for further investigation and, if necessary, for legal action." Goldschmidt 6,983,266 B1 col. 12, lines 47-51)

As per claim 2, Goldschmidt teaches a method of claim 1 wherein the digital information received comprises supporting documentation for the transactions. ("FIG. 2 illustrates in flow chart form a preferred embodiment of the method of supporting a compliance agent in CMAD in accordance with the present invention. In the first step 100, SNCE and associated data and information are

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retrieved from the primary monitoring computer system." Goldschmidt 6,983,266

B1 col. 7, lines 57-61)

As per claim 3, Goldschmidt 6,983,266 B1 teaches a method of claim 1 wherein

the indication of an amount of risk comprises a normal range of risk and an

elevated amount of risk and the method additionally comprising the steps of:

determining a particular legal violation associated with an elevated level of risk

("Unusual patterns might be reflected in heavy turnover in a particular stock, or in

a price change much larger than changes in other stock prices observed that

day. Once an unusual pattern is detected, if no adequate explanation is found

and there appears to have been a breach of the ASX rules, it is reported to the

Exchange's companies division (if a listed company is involved), the ASX

membership division (if a broker is involved), or the ASX derivatives division (if a

derivative security is involved)." Goldschmidt 6,983,266 B1 col. 12, lines 38-46);

and

generating an action responsive to the particular legal violation. ("Where there

appears to have been a breach of the law, the matter is reported to the federal

government body that administers the corporations law, namely the Australian

Securities Commission (ASC) for further investigation and, if necessary, for legal

action." Goldschmidt 6,983,266 B1 col. 12, lines 47-51)

As per claim 4, Goldschmidt teaches a method of claim 1 wherein the method

additionally comprises the step of transmitting an indication to block execution of

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the one or more financial transactions. ("Once an unusual pattern is detected, if no adequate explanation is found and there appears to have been a breach of the ASX rules, it is reported to the Exchange's companies division (if a listed company is involved), the ASX membership division (if a broker is involved), or the ASX derivatives division (if a derivative security is involved)." Goldschmidt 6.983,266 B1 col. 12, lines 38-46)

As per claim 5, Goldschmidt teaches a method of claim 1 wherein the method additionally comprises the step of notifying a legal authority involved in enforcing insider trading laws of a potential violation of a law related to the execution of the financial transaction. ("Once an unusual pattern is detected, if no adequate explanation is found and there appears to have been a breach of the ASX rules, it is reported to the Exchange's companies division (if a listed company is involved), the ASX membership division (if a broker is involved), or the ASX derivatives division (if a derivative security is involved)." Goldschmidt 6,983,266 B1 col. 12, lines 38-46)

As per claim 6, Goldschmidt teaches a method of claim 1, wherein the digital information is received from at least one of: (i) a bank, (ii) a broker dealer, and (iii) a national trading exchange. ("For the sake of brevity, this CMAD_{cm} multiagent decision support system will be referred to as ALCOD. ALCOD assists the ASX's surveillance analysts' decision making task of classifying a SNCE

generated by the primary monitoring system (SOMA)." Goldschmidt 6,983,266

B1 col. 12, lines 23-28)

As per claim 7, Goldschmidt 6,983,266 B1 teaches a method of claim 1 $\,$

additionally comprising the steps of:

analyzing the stored data for patterns of behavior indicative of insider trading

("Unusual patterns might be reflected in heavy turnover in a particular stock, or in

a price change much larger than changes in other stock prices observed that

day." Goldschmidt 6,983,266 B1 col. 12, lines 38-41); and

automatically generating a suggested action based upon the data. ("Once an

unusual pattern is detected, if no adequate explanation is found and there

appears to have been a breach of the ASX rules, it is reported to the Exchange's

companies division (if a listed company is involved), the ASX membership

division (if a broker is involved), or the ASX derivatives division (if a derivative

security is involved)." Goldschmidt 6,983,266 B1 col. 12, lines 41-46)

As per claim 8, Goldschmidt 6,983,266 B1 teaches a method of claim 7 wherein

the suggested action comprises conveying an insider trading report to a

government entity. ("Where there appears to have been a breach of the law, the

matter is reported to the federal government body that administers the

corporations law, namely the Australian Securities Commission (ASC) for further

investigation and, if necessary, for legal action." Goldschmidt 6,983,266 B1 col.

12, lines 47-51)

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As per claim 10, Goldschmidt 6,983,266 B1 teaches a method of claim 7 wherein the suggested action comprises monitoring an associated account for a pattern of activity that may be indicative of a violation of an insider trading law. ("Unusual patterns might be reflected in heavy turnover in a particular stock, or in a price change much larger than changes in other stock prices observed that day. Once an unusual pattern is detected, if no adequate explanation is found and there appears to have been a breach of the ASX rules, it is reported to the Exchange's companies division (if a listed company is involved), the ASX membership division (if a broker is involved), or the ASX derivatives division (if a derivative security is involved)." Goldschmidt 6,983,266 B1 col. 12, lines 38-46)

As per claim 11, Goldschmidt 6,983,266 B1 teaches a method of claim 7 wherein the suggested action comprises monitoring actions taken by an entity associated with the financial transaction for a pattern of activity that may be indicative of a violation of an insider trading law. ("Unusual patterns might be reflected in heavy turnover in a particular stock, or in a price change much larger than changes in other stock prices observed that day. Once an unusual pattern is detected, if no adequate explanation is found and there appears to have been a breach of the ASX rules, it is reported to the Exchange's companies division (if a listed company is involved), the ASX membership division (if a broker is involved), or the ASX derivatives division (if a derivative security is involved)." Goldschmidt 6,983,266 B1 col. 12, lines 38-46)

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As per claim 14, Goldschmidt 6,983,266 B1 teaches a method of claim 7 wherein the suggested action comprises generating an insider trading report comprising details of the financial transaction and transmitting the report to a trading exchange associated with the financial transaction. ("Unusual patterns might be reflected in heavy turnover in a particular stock, or in a price change much larger than changes in other stock prices observed that day. Once an unusual pattern is detected, if no adequate explanation is found and there appears to have been a breach of the ASX rules, it is reported to the Exchange's companies division (if a listed company is involved), the ASX membership division (if a broker is involved), or the ASX derivatives division (if a derivative security is involved)."

As per claim 15, Goldschmidt 6,983,266 B1 teaches a method of claim 14 wherein the insider trading report is transmitted via electronic mail. ("It combines computer-based decision support systems to analyse market events with communication software, text retrieval and graphics." Goldschmidt 6,983,266 B1 col. 2, lines 9-11)

As per claim 16, Goldschmidt 6,983,266 B1 teaches a method of claim 14 additionally comprising the steps of.

storing a record of the date and time of the transmission; and

Goldschmidt 6.983,266 B1 col. 12, lines 38-46)

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storing a record of a destination of the transmission. ("The alert record contains details of the alert type, the SNCE transaction, details of the entity under review (the stock)-current and historical, and other related information. Control rules on the blackboard retrieve this hypothesis from the output of SOMA." Goldschmidt 6,983,266 B1 col. 17, lines 49-54)

As per claim 18, Goldschmidt 6,983,266 B1 teaches a computer implemented method of facilitating filling insider trading report, the method comprising:

presenting an electronic form for receiving information, wherein the electronic form comprises prompts directed to receiving information related to determining whether insider trading related to one or more transactions as occurred; receiving data responsive to the prompts ("a graphic user interface (GUI) for human agents, or appropriate communication protocol for machine based agents, to enable the agent to respond to each of the first heuristic cues using Boolean responses; and wherein, said knowledge and search processing system is also adapted to select second heuristic cues from said knowledge base based on said Boolean responses, and said GUI for human agents, or appropriate communication protocol for machine based agents" Goldschmidt 6,983,266 B1 col. 4, lines 7-15);

receiving data identifying documentation supporting potential insider trading activity ("a graphic user interface (GUI) for human agents, or appropriate communication protocol for machine based agents, to enable the agent to respond to each of the first heuristic cues using Boolean responses; and

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wherein, said knowledge and search processing system is also adapted to select second heuristic cues from said knowledge base based on said Boolean responses, and said GUI for human agents, or appropriate communication protocol for machine based agents" Goldschmidt 6,983,266 B1 col. 4, lines 7-15);

storing the data responsive to the prompts and the data identifying documentation in a computer database ("According to another aspect of the present invention there is provided a system for supporting a compliance agent in compliance monitoring for anomaly detection, the system comprising: a relational database for receiving and storing information relating to a suspected non-compliant event (SNCE) generated by a primary monitoring system" Goldschmidt 6,983,266 B1 col. 3, lines 59-65);

presenting the data responsive to the prompts and the data identifying documentation to a person designated with determining whether to proceed with the one or more transactions ("and wherein, said knowledge and search processing system is also adapted to select second heuristic cues from said knowledge base based on said Boolean responses, and said GUI for human agents, or appropriate communication protocol for machine based agent" Goldschmidt 6,983,266 B1 col. 4, lines 10-15);

receiving an indication to proceed with the one or more transactions; and generating a communication comprising an instruction to proceed with the one or more transactions. ("According to another aspect of the present invention there is provided a system for supporting a compliance agent in compliance monitoring

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for anomaly detection, the system comprising: a relational database for receiving and storing information relating to a suspected non-compliant event (SNCE) generated by a primary monitoring system" Goldschmidt 6,983,266 B1 col. 3, lines 59-65)

As per claim 19, Goldschmidt 6,983,266 B1 teaches a method of claim 18 additionally comprising the step of:

scrubbing the data responsive to the prompts and the data identifying documentation to obtain additional related data. ("obtaining a response from the agent to each of the first heuristic cues in the form of Boolean responses; selecting second heuristic cues from said knowledge base based on said Boolean responses; obtaining responses from the agent to each of the second heuristic cues in the form of linguistic variables; combining said linguistic variables with respective relevance measures for each of said second heuristic cues to produce respective weighted intermediate propositions, said intermediate propositions providing supporting evidence; and, combining said weighted intermediate propositions to produce final propositions repudiating or confirming the SNCE, which together with said supporting evidence enables the agent to make a decision regarding the SNCE more efficiently Goldschmidt 6,983,266 B1 col. 4, lines 18-27)

As per claim 20, Goldschmidt 6,983,266 B1 teaches a method of claim 19 additionally comprising the step of:

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automatically initiating a risk management clearinghouse search related to at least one of

- (i) the data responsive to the prompts, and
- (ii) the data identifying documentation. ("a graphic user interface (GUI) for human agents, or appropriate communication protocol for machine based agents, to enable the agent to respond to each of the first heuristic cues using Boolean responses; and wherein, said knowledge and search processing system is also adapted to select second heuristic cues from said knowledge base based on said Boolean responses, and said GUI for human agents, or appropriate communication protocol for machine based agents" Goldschmidt 6,983,266 B1 col. 4, lines 7-15)

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior at are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- Claims 9, 12, 13, 17 & 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldschmidt 6,983,266 B1 in view of Mandler 5,723,400.

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As per claim 9, Goldschmidt 6,983,266 B1 teaches a method of claim 7. Goldschmidt fails to explicitly teach that the suggested action comprises initiating

a risk management clearinghouse search.

Mandler teaches "The financial clearinghouse further determines a risk-based

discount rate as a function of the buyer's risk classification to establish a payment amount to a seller by the clearinghouse. The financial clearinghouse also

determines a credit line for each buyer." (Mandler 5,723,400 col. 3, lines 43-47)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Goldschmidt to include the financial risk

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clearinghouse feature of Mandler since "the financial clearinghouse makes a

dynamic real-time risk classification of each buyer" (Mandler 5,723,400 col. 3,

lines 38-40)

As per claim 12, Goldschmidt 6,983,266 B1 teaches a method of claim 7.

Goldschmidt fails to explicitly teach that the suggested action comprises refusing

to perform a requested transaction.

Mandler 5,723,400 teaches "In step S3, the financial clearinghouse 40

determines whether the buyer has an acceptable risk classification. For example,

if the buyer 20 has been in business for less than three years, has no credit

score report from a recognized credit reporting agency, has a risk classification of

0, has no reported trade references, or has a risk classification of 5 in conjunction

with an unsatisfactory payment history rating, then the buyer 20 has an

unacceptable risk classification. If one of the above conditions is satisfied, the

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financial clearinghouse 40 will reject the application in step S4 and inform the broker of the rejection." Mandler 5,723,400 col. 12, lines 10-19)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Goldschmidt to include the financial risk clearinghouse feature of Mandler since "the financial clearinghouse makes a dynamic real-time risk classification of each buyer" (Mandler 5,723,400 col. 3, lines 38-40)

.

As per claim 13, Goldschmidt 6,983,266 B1 teaches a method of claim 7.

Goldschmidt 6,983,266 B1 fails to teach that the suggested action comprises closing an account associated with the financial transaction.

Mandler 5,723,400 teaches "The financial clearinghouse 40 can instead automatically select buyers 20 with expiring credit limits or risk classifications, automatically review and adjust the values or terminate the buyer's credit." (Mandler 5,723,400 col. 13, lines 3-6)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Goldschmidt to include the account closing feature of Mandler in order to protect against "a buyer engaged in illegal activities, operates within certain designated industries, or is located in a country with which commerce is restricted pursuant to government regulations." (Mandler 5.723.400 col. 12, lines 26-29)

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As per claim 17, Goldschmidt 6,983,266 B1 teaches a method of claim 1. comprising the step of securing the data comprising the insider trading report

with at least one of:

refusing to disclose the data except where such disclosure is requested by an appropriate law enforcement or bank supervisory agency. ("Where there appears to have been a breach of the law, the matter is reported to the federal government body that administers the corporations law, namely the Australian Securities Commission (ASC) for further investigation and, if necessary, for legal action." Goldschmidt 6.983.266 B1 col. 12. lines 47-51)

Goldschmidt 6,983,266 B1 fails to explicitly teach

- (i) encrypting the data
- (ii) password protecting the data,
- (iii) protecting the data with a biometric access procedure

Mandler 5,723,400 teaches "In order to protect the security of communications on the network 5, the communications network 5 can include a security system." (Mandler 5,723,400 col. 6, lines 63-65) and

"For example, the network 5 can support authenticated, encrypted communications between the buyers 20, sellers 10, and financial clearinghouse 40 using known authentication and data encryption systems." (Mandler 5,723,400 col. 5, line 65-col. 6, line 1)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Goldschmidt to include the data protection

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feature of Mandler 5,723,400 "in order to protect the security of communications

on the network" (Mandler 5,723,400 col. 5, lines 63-64)

As per claim 21, Goldschmidt teaches a method of claim 20.

Goldschmidt 6,983,266 B1 fails to teach that the risk management clearinghouse

search is initiated on a proprietary risk management clearinghouse system.

Mandler teaches "The financial clearinghouse further determines a risk-based

discount rate as a function of the buyer's risk classification to establish a payment

amount to a seller by the clearinghouse. The financial clearinghouse also

determines a credit line for each buyer." (Mandler 5,723,400 col. 3, lines 38-47)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the invention of Goldschmidt to include the financial risk

clearinghouse feature of Mandler since "the financial clearinghouse makes a

dynamic real-time risk classification of each buyer" (Mandler 5,723,400 col. 3,

lines 38-40)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Lupien (US 5,689,652) shows a crossing network that matches buy and sell

orders based upon a satisfaction and quantity profile is disclosed. The trader

terminals are coupled to a matching controller computer. The matching controller

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computer can receive as input the satisfaction density profiles entered at each one of the trading terminals. The matching controller computer matches orders (as represented by each trader's satisfaction density profile) so that each trader is assured that the overall outcome of the process (in terms of average price and size of fill) has maximized the mutual satisfaction of all traders. Typically, the matching process is anonymous. The matching process can be continuous or performed on a batch basis.

Gilliam (2004/0039704) shows a system and method for enforcing rights specifying manners of use of an item, include specifying by a recipient of an item a first rights expression indicating at least on of a desired manner of use of the item by the recipient and a condition of use of the item by the recipient; associating the rights expression with the item; and supplying the item to the recipient based on satisfaction of at least one of the desired manner of use of the item by the recipient.

(US 2002/0194014 A1) shows a distributed risk management system, computer program, and method are provided that together provide a comprehensive source of risk management and compliance information that permits businesses to more effectively manage risks associated with business activities. The invention permits businesses to identify potential liabilities, evaluate current procedures in dealing with such risks, implement recommended risk

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management procedures, and validate that the recommended procedures have

in fact been implemented and are effective.

Barton (2002/0059093 A1) shows a method and system for identifying and

quantifying compliance issues. In one embodiment, a system is configured to

implement a method which comprises assessing at least one compliance

program to identify potential risks and prioritizing the potential risks. The issues

relating to the potential risks, for example, failure modes and root causes are

identified and are mitigated and controlled.

Mastwyk (2002/0091622 A1)shows a system which enables people who trade in

stock listed securities to check whether a transaction is compliant with existing

laws, rules and company regulations before an intended transaction is actually

executed. An unambiguous 'Yes or No' will be provided regarding the question

whether the intended transaction is compliant with existing laws, rules and

company regulations. This answer is provided by a computer system that by

means of a rules or decision engine running against a database with data on

clients, rules, market news and other relevant data about the insider determines

the correct answer whether a transaction will be compliant or not. This indication

is therefor of a pre-trading nature.

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Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gerald C. Vizvary whose telephone number is

571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number

for the organization where this application or proceeding is assigned is 571-270-

4268.

Information regarding the status of an application may be obtained from the

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/Ella Colbert/

Primary Examiner, Art Unit 3696

Gerald Vizvary

Patent Examiner, A.U. 3609

February 18, 2008